

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

SCOTT ENVIRONMENTAL SERVICES, §  
INC., SCOTT ENERGY TECHNOLOGIES §  
LLC, § Case No. 2:16-cv-01279-JRG-RSP  
§  
v. §  
§  
WASTE FACILITIES, INC. §

**ORDER**

Before the Court is the Recommendation filed by Magistrate Judge Payne, which recommends that Waste Facilities' motion to dismiss be denied. Dkt. No. 78. No objections were filed, and the time to do so has now passed. *See* Fed. R. Civ. P. 72(b)(2). Having considered the Report and Recommendation de novo, the Court finds no reason to reject or modify the recommended disposition. *See* Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1)(C).

Accordingly, it is **ORDERED**:

- (1) The Magistrate Judge's recommendation, Dkt. No. 78, is adopted.
- (2) Waste Facilities' motion to dismiss, Dkt. No. 44, is denied.

**So Ordered this**

Dec 4, 2017

  
RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE